



**RESPONSE GRANTING A FOIA REQUEST IN PART**  
**AND DENYING THE REQUEST IN PART**

March 2, 2010

Diana Lopez  
Senior Editor of Government Lobbying  
Sunshine Review



Dear Ms. Lopez:

We received your Freedom of Information Act request on **Feb. 22, 2010**, for the following documents:

- I. Any contracts and/or agreements between the Lake County and any lobbyist, lobbying firm or law firm that performs or performed lobbying work on behalf of the Lake county or County Board since Jan. 1, 2005
- II. Any and all invoices or bills sent to the Lake County or County Board by any lobbyist or any of the lobbying-related entities referenced in item 1 since Jan. 1, 2005.
- III. Records of any disbursements since Jan. 1, 2005 to any lobbyist or to any of the lobbying-related persons or entities referenced in item 1.
- IV. Any record, document, contract, letter, memoranda or email sent or received by any employee of the Lake County since Jan. 1, 2009 pertaining to or referencing any lobbyist or any of the lobbying-related entities referenced in item 1, or which pertain to or reference relationships with individuals or groups who advocate on behalf of or represent the county or county board, including but not limited to the Metro Counties of Illinois, United Counties Council of Illinois, Illinois Association of County Board Members, National Association of Counties, or any of these associations' representatives.
- V. Records indicating all disbursements, including dues payments or other membership-related fees, made since Jan. 1, 2005, to any group, organization or association of which the Lake County or any of its employees is or was a member, or to which the Lake County otherwise remitted funds. Those groups are intended to include, but are not limited to, the Metro Counties of Illinois, United Counties Council of Illinois, Illinois Association of County Board Members, National Association of Counties.
- VI. Any other records pertaining to or indicating the Lake County's membership in any other group, organization or association, or the membership of any county employees in any group, organization or association.

- VII. All email and/or other written correspondence between any county employee and any lobbyist or lobbying-related entity since Jan. 1, 2009.
- VIII. All email and/or other written correspondence between any member of the county board and any lobbyist or lobbying-related entity since Jan. 1, 2009.
- IX. Any and all invitations, on paper or in electronic format, to any and all legislative receptions that have been sponsored, funded, or otherwise underwritten in whole or in part by the county, along any records indicating the costs incurred for those receptions.

We are able to provide many responsive documents and enclose a CD-ROM with electronic copies of the following:

- I. Agreement with the Ferguson Group, LLC, for Federal Representation Services, agreement with Kolkmeier Consulting for State Representation Services, Purchase Order for Lake County Transportation Alliance.
- II. Invoices for the three referenced firms/groups above, since Jan. 1, 2005.
- III. The invoices indicate amount paid, or requisition reports, serve as record of disbursements.
- V. Records indicating disbursements since Jan. 1, 2005, including dues payments to the Metro Counties of Illinois, National Association of Counties, and Illinois Municipal League of which the Lake County Board is a member.

For item VIII in your request, no records exist.

Lake County is planning on denying your request for the remaining documents as too broad and unduly burdensome, unless you narrow your requests. Specifically, these requests are burdensome for the following reasons:

- Request IV for any record, including emails, pertaining to lobbyists or lobbying-related entities for any Lake County's 2,800 employees since Jan 1, 2009.

Lake County has over 2,800 employees in over 30 departments and divisions. We do not keep independent records pertaining to lobbyists or lobbying-related entities as a matter of course, nor are we required to do so by law. In addition, we have no way to globally search for any such documents that may exist. Finally, the term you use "lobbying-relating entities" is undefined and subject to varying interpretations, some of which would make the request even broader.

- Request V for records indicating all disbursements, including dues payments since Jan. 1, 2005 to any group of which any employee is or was a member, and

- Request VI for records pertaining to Lake County's membership or the membership of any county employee in any group.

Records have been provided for dues payments to specific groups listed in the request pertaining to the Lake County Board's membership. However, we are unable to respond to your more general requests for records indicating disbursements "to any group, organization or association" of which Lake County or any of its employee is or was a member or to which Lake County otherwise remitted funds. Again, we do not keep track of our employees' memberships in any group, organization, or association. We do not have the capability to search for this information for our 2,800 employees.

- Request VII for all email and/or other written correspondence between any county employee and any lobbyist or lobbying-related entity since Jan. 1, 2009.

We cannot globally search the e-mails of our employees. Your request would require us to restore and search each of the 3,500 mailboxes separately for every day in question. In addition, even if a name for the "lobbyist or lobbying-related entity" were to be provided, the restoration and searching of all mailboxes would be onerous.

- Lake County can't comply with request IX for any invitations to any and all legislative receptions because is too broad since no date parameters were provided.

Pursuant to 5 ILCS 140/3(g), we offer you an opportunity to reduce your request to a manageable proportion. If you narrow your request by providing us with specific employees, specific organizations, or specific departments, we will re-evaluate your request. Please be mindful that all responsive documents have to be independently reviewed to ensure that all private and personal information is redacted.

Should you choose not to narrow your request, you have a right to have the denial of your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor  
Office of the Attorney General  
500 South 2<sup>nd</sup> Street  
Springfield, Illinois 62706  
Fax: 217-782-1396  
E-mail: [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us)

You also have the right to seek judicial review of your denial by filing a lawsuit in the State circuit court. 5 ILCS 140/11.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC.

**Jennie Khoen**  
Name

**2/25/10**  
Date

**County Administrators Office, FOIA Officer**  
**847-377-2154**  
**jkhoen@lakecountyil.gov**